

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KYLE BARCLAY WALLACE,

Defendant.

CR 22-29-M-DWM


ORDER

In June 2022, Defendant Kyle Barclay Wallace was indicted for providing false information to acquire a firearm in violation of 18 U.S.C. § 922(a)(6) and receiving a firearm while under indictment in violation of 18 U.S.C. § 922(n). (Doc. 1.) He was arrested in March 2024, (*see* Doc. 7), and appeared before United States Magistrate Judge Kathleen DeSoto on April 10, 2024, (Doc. 8 (Min. Entry)). Although Assistant Federal Defender John Rhodes appeared with Wallace, Wallace indicated his intent to retain counsel. (*See id.*) Rhodes' appointment was therefore limited to the initial appearance and arraignment. (*See* Doc. 12.) Despite the intervening time, private counsel has not appeared in the case, and Rhodes appeared for Wallace at the April 17, 2024 preliminary pretrial conference. A trial date has been set for June 10, 2024. To ensure this matter

proceeds without unnecessary delay,

IT IS ORDERED that retained counsel, if any, shall file a notice of appearance on or before April 19, 2024. If no such appearance is filed, counsel shall be appointed under the Criminal Justice Act to represent the defendant. *See* 18 U.S.C. § 3006A. Delay associated with the appearance of counsel will not be considered good cause to seek a continuance of the trial schedule set in the case.

DATED this 17<sup>th</sup> day of April, 2024.



Donald W. Molloy, District Judge  
United States District Court

